



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: L.B. Jones, et al  
SERIAL NO: 10/780,168  
FILED: Feb. 17, 2004  
FOR: Footwear with Reversible  
Tongue

GAU: 3728  
EXAMINER:  
St. Louis, Missouri  
Date: November 18, 2004  
DN: 7494

I hereby certify that this correspondence is being deposited with the  
U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

*[Signature]*  
Attorney

*[Signature]*  
Date of Signature

Director, Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

AMENDMENT BEFORE FIRST ACTION

Sir:

Please cancel the claims of this application as set forth in this  
application as originally filed, without prejudice, and add the following  
claims in lieu thereof:

12/07/2004 EXHIBITS 00000001 040731 10780168

01 FC:2202

27.00 DA

*WFC*

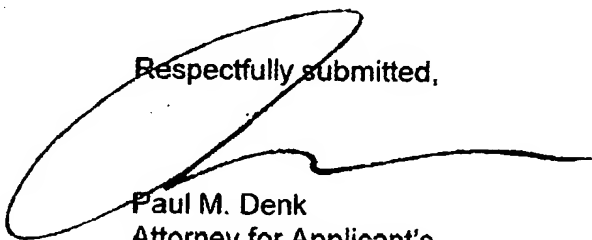
### REMARKS

Initially, it is noted that the Patent Office questioned the continuation-in-part of this current application over the prior application having Ser. No. 10/437,140. That application was filed on May 13, 2003. Since the subject matter of the two applications are very related, and in fact, having the same drawings, with the same description, it is not understood why a claim to dependency upon that earlier application cannot also be made. It would be appreciated if the examiner can review this matter.

The claims of this application have been substantially revised, and essentially, are intended to cover non-elected claims of the parent application, Ser. No. 10/222,313, from which this application depends.

The examiner's review of this application would be appreciated.

Respectfully submitted,



Paul M. Denk  
Attorney for Applicant's  
Pat. Off. Reg. No. 22,598  
763 South New Ballas Road, Ste. 170  
St. Louis, Missouri 63141  
(314) 872-8136

PMD/sm